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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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2009 JUN -8 A 11: 24

JUN -8 2009

AZ CORP COMMISSION  
DOCKET CONTROL

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IN THE MATTER OF THE APPLICATION OF  
WHOLESALE CARRIER SERVICES, INC. FOR  
A CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE RESOLD AND  
FACILITIES-BASED LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICES.

DOCKET NO. T-04110A-07-0619

PROCEDURAL ORDER

**BY THE COMMISSION:**

On October 26, 2007, Wholesale Carrier Services, Inc. ("WCSI") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("CC&N") to provide resold and facilities-based local exchange telecommunications services.

On November 23, 2007, the Commission's Utilities Division Staff ("Staff") issued a Letter of Insufficiency and First Set of Data Requests to WCSI.

On January 17, 2008, WCSI filed responses to Staff's First Set of Data Requests.

On June 18, 2008, Staff issued a Letter of Insufficiency and Second Set of Data Requests.

On April 22, 2009, a Procedural Order was issued requiring Staff to file an update in this matter, including any appropriate recommendation as to how this matter should be resolved and whether this matter should be administratively closed.

On May 18, 2009, Staff filed an Update stating that WCSI's attorney had informed Staff by e-mail on May 11, 2009, that WCSI does not wish to continue with its application for a CC&N. Staff stated that Staff replied by e-mail and recommended that WCSI file a request to withdraw its application with Docket Control. Staff added that it does not object to WCSI's withdrawing its application and that, if WCSI files a request for withdrawal, Staff recommends that the matter be administratively closed.

WCSI has not filed a response to Staff's Update. Nor has WCSI filed a request to withdraw its application as recommended by Staff. Thus, it is appropriate to require Staff to file a copy of the e-mail sent to Staff by WCSI's attorney.

IT IS THEREFORE ORDERED that Staff shall, by June 15, 2009, file with the Commission's Docket Control a copy of the May 11, 2009, e-mail sent to Staff by WCSI's attorney in which the attorney indicated that WCSI no longer desires to obtain a CC&N. If Staff believes for any reason that the e-mail should not be considered a withdrawal of WCSI's application, Staff shall so indicate in its filing.

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 8th day of June, 2009.


  
SARAH N. HARPRING  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 8th day of June, 2009, to:

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By:   
Debra Broyles  
Secretary to Sarah N. Harpring